

Dear Mr. O'Donnell and Mr. Pawloski

Thank you for your willingness to form a Citizens Advisory Group regarding the future investigation and remediation of the recently demolished WWW tannery site in Rockford, MI. We appreciate the time that you recently spent with Nicholas Occhipinti of WMEAC on September 24, 2012, to set expectations for future meetings with citizens and representatives from other environmental backgrounds.

Since that date, we have been made aware of your upcoming meeting on October 31, 2012 with Wolverine World Wide, Inc., a meeting where Department of Environmental Quality (DEQ) expectations will be shared with WWW regarding both future investigation and clean-up.

We have worked hard to focus our primary investigatory concerns into eight concise questions, and we are hoping that you would consider the following questions as you prepare your agenda for that meeting. If DEQ presents our questions to Wolverine during the course of the meeting, Wolverine should be able to provide answers to each as they discuss their plans for the site. If unable to answer any question during the meeting, we would hope that Wolverine would provide answer(s) shortly after the meeting and, at the very least, prior to commencing the next phase of the investigation/remediation of the site. We are concerned that if one or more of them go unanswered, citizens and those who frequent the area around the former tannery might face harmful unknown risks. The questions are as follows:

1. *Additional Ammonia Investigation.* In File: 0091.03077.0, the Rose & Westra Report made available to the public on September 21, 2011, Rose & Westra suggested "additional investigation pertaining to ammonia." (page 5). On this same page of the report, Rose & Westra also "proposed to perform tests to measure hydraulic conductivity of the soil at MW-1, MW-2, and P-1 through P-4," and stated that "the groundwater flow rate and volume will be combined with information about the Rogue River/Rum Creek to further evaluate arsenic, ammonia, and cyanide." *Has the recommended ammonia investigation occurred, has the ammonia information been combined with Rogue River/Rum Creek information, and what were the results?*
2. *Dead and Distressed Vegetation.* Recent photos of the Waste Water Treatment Plant (WWTP) area of the site, and other portions at the western end of the site show bare spots of dead vegetation, exposed soils, and other splotchy areas. The impacts appear to be quite localized, and are therefore unlikely to be associated with the broader impacts of the hot, dry weather of this summer. Knowing that neither the waste treatment area, nor the rest of the site has been capped with any form of impermeable barrier, we are concerned that this hot spot may be a source area, as evidenced by the distressed vegetation.

"Wolverine operated a WWTP at the site. They had a NPDES Industrial Storm Water Permit that I oversaw and they tried to terminate the permit spring/summer 2009. I denied the request because at the time the WWTP was still operating and the housekeeping around the WWTP was bad. . . . I was given a tour of the site and had

some concerns that I talked to Gerry Heyt about. I expressed my concerns to Wolverine World Wide EHS manager and Gerry Heyt that there may be significant soil contamination at this site given by observations.” (From an e-mail from Ryan Grant to Susan Erickson, MDEQ and copied to copied John Pawloski, Michael Worm, and Gerry Heyt on June 29, 2010).

This is of greater concern given that the location is immediately adjacent to the highly utilized recreational trail. *What investigatory measures have been proposed to measure soil and groundwater contamination in this area (including the trail), so that any necessary actions might be taken to prevent human and ecological exposure to contaminants from soils, surface water, and groundwater?*

3. *Impact of Cold Weather on Sampling. Will future sampling of soils, groundwater, sediments, and surface water be taken during seasons other than the winter months to account for changes in PH levels and water temperatures (we are informed that this might impact ammonia samples in particular)?* When river sediment samples were taken by MDEQ in March of 2012, as part of the Preliminary Assessment, ammonia samples were not taken at this time because of the cold water temperatures. It is our understanding from Joe Walczak, Pre-remedial Program Manager, that ammonia sampling would be included in the warmer months, ideally sooner than later.
4.
 - a. *River Sediments near Pump House and WWTP What are the plans for sampling river and creek sediments in and near potential source areas?* Of particular concern, the area where unpermitted and impromptu “dredging” occurred on July 11, 2011, with a large excavating machine (in an ill-advised attempt to remove conveyance piping and foundation) in front of the Pump House. Additional areas of concern include the Cove, both south and west of the WWTP and particularly beneath the wetlands bridge of the White Pine Trail, where significant discharges to the river occurred during demolition, and where at present, run-off from the WWTP area is still directed to the Rogue River from beneath this bridge.
 - b. *River Sediments near Trail Parking Lot. What are the plans for sampling river sediments and soils in the river bank areas just north of the White Pine Trail parking lot, XRF Locations 20-22, and all along the east bank of the Rogue south to the Rockford Dam?*
5. *Untested Hot Spots.* There are a number of “Hot Spots” identified based on the accounts of former Wolverine workers and the activities known to have been conducted at the site. *Will the following list of “Hot spots” be tested (or re -tested) in the next phase of required sampling?*
 - ☐ Soils beneath the tanning drums in the tannery and beneath the color mills, where tannery workers testified to frequent spills and overflows?

“ In addition to future storm water management concerns, I noticed that some of the flooring in the plant consisted of the original brick and mortar material. It appeared that underneath the brick flooring was soil. If there were breaches in the flooring, what was preventing the tanning process fluids from entering the soil and subsequent ground water, thus possibly venting to the surface waters?” (Question to Mr.Blue, WWW Environmental Health and Safety Manager, from Ryan Grant, MDEQ, 6/16/09).

- ☐ Soils beneath the two above-ground storage tanks in the Tannery and the other above-ground storage tank in the Hide House?
- ☐ Soils in the Pit area south adjacent of where soils were removed during demolition in 2010, and re-testing of soils in the general area of the Pit that may have contained fill material after the December 2011 Sampling?
- ☐ *Will there be additional Soil sampling in all areas of the WWTP area of the site in addition to seasonal groundwater testing?*
- ☐ What additional soil sampling will be conducted in the area of the previously planned S-2 boring, a boring that was not advanced as part of the Phase 2 PA testing “due to standing water over the concrete slab and ceramic bricks of the former floor.”
- ☐ *What soil sampling is planned in the southern portion of the site near the former Power House where UST’s were known to have been buried?* This area is noted in the 1994 ESA: “Soil excavation was recommended by the southern end of the site, due to elevated levels of lead detected in borings made 4/-6’bgl, 20’ to 30’ west of the site and 200’ feet south of Rum Creek.

6 .*Sampling of Point Source Outfalls to Rogue River and Rum Creek. Have all outfalls to the Rogue River and Rum Creek been sampled and, if not, is there a plan to do so?* If these pipes and outfalls communicate with impacted groundwater and soils, there could be exposure to humans utilizing nearby surface water. Pipes have been observed still discharging water to the creek.

Sediment and surface water sampling of pond/swale north of the retail parking lot What plans are there to sample the sediments and to conduct additional surface water sampling in this pond/swale? This pond is referred to in the 1994 ESA of the Site. MDEQ sampled the surface water in this pond in late August 2010. Tannery leathers and scraps have been observed by citizens in the east bank above the pond. MDEQ staff also noted the presence of “unknown fill in the east bank.” From Water Resources Division on February 14, 2011, regarding this area:

“The water sample from the pond/swale north of the Wolverine Tannery had elevated concentrations of total arsenic, total barium, total cadmium, total chromium, total lead, and total zinc compared to normal background concentrations. The concentrations of total copper and total lead were not compliant with Michigan’s Water Quality Standards.

7. *Property Re-Use.* Since property re-use often drives cleanup objectives, *has an end-use been proposed? If not, will DEQ insist on cleanup to the most conservative potential end-use?*

8. *Differentiation of Trivalent and Hexavalent Chromium.* The February 9, 2011 Rose & Westra report takes issue with the presence of hexavalent chromium in testing samples.
 “Hexavalent chromium was detected above generic criteria for protection of GSI in two soil samples from the former tannery. Based on R & W’s historical research and WWW’s known production processes, the tannery never used hexavalent chromium.....The sporadic and unexplained presence of hexavalent chromium does not present a threat to human health of the environment.” Considering that MDEQ testing of river sediments in March of 2012 showed significant levels of hex chrome in river sediment, will continued testing for this known carcinogen be taken seriously?

If these important questions and concerns can be addressed, it will go a long way in providing assurance to the numerous nearby residents, businesses and recreational users near the site. We thank you very much for taking the time to consider them in drafting your agenda, and to present each of them in turn to those at Wolverine that are formulating the “next steps” at the site.. We very much look forward to hearing Wolverine’s responses, whether they are provided at the meeting or shortly thereafter.

Best regards,

CCRR Concerned Citizens for Responsible Re-development